

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE
600 W. CAPITOL, ROOM 423
LITTLE ROCK, ARKANSAS 72201-3325
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February 3, 2007
LETTER-ORDER

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Re: *Rush v. Wyeth*, 4:05-CV-497

Dear Counsel:

If a person with abnormal cells in the breast takes Prempro and it “causes” them to become cancerous, or if there is a tiny cancer that is basically “stable” and the taking of Prempro causes it to break loose and grow, all of this is “promotion” as I see it; and is, therefore, compensable to the extent that Plaintiff would not have had the cancer to the extent now suffered.

Accordingly, Wyeth’s submission to strike Dr. Colditz’s testimony (Doc. No. 557) is denied.

Plaintiff’s request that I open the door on other drugs (Doc. No. 541) is denied.

Cordially,

/s/ Wm. R. Wilson, Jr.

Original to the Clerk of Court
cc: The Honorable Henry L. Jones, Jr.